

Item 16

TMDL for Toxic Pollutants Dominguez Channel, and the Greater Los Angeles and Long Beach Harbor Waters

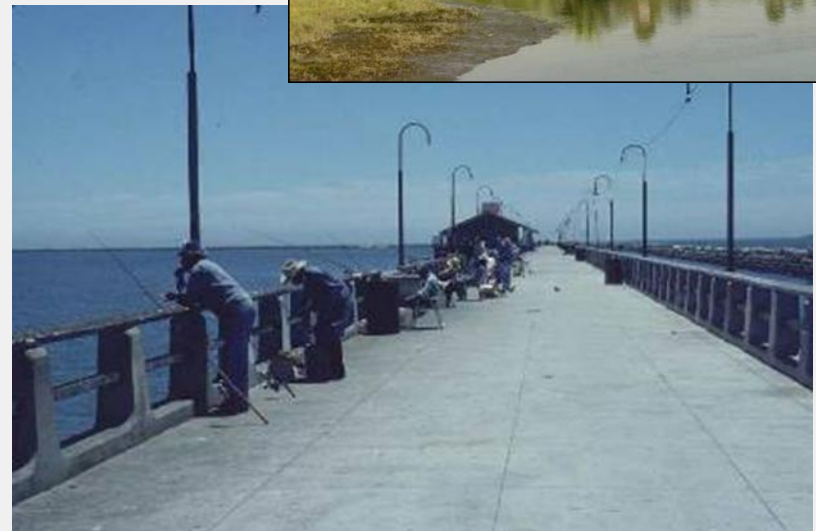
State Water Resources Control Board
December 6, 2011

Goals of Harbors TMDL

Restore aquatic habitats to protect aquatic life and wildlife



Ensure fish are safe for human consumption



Overview of Harbors TMDL

- **Numeric targets for water, sediment, & fish tissue**
 - *Same as previous TMDLs in LA Region*
- **Wasteload/Load Allocations**
 - pollutant loads from watershed,
 - internal loads from contaminated sediment, and
 - atmospheric deposition
 - *Same as previous TMDLs in LA Region*
- **Implementation**
 - Load reduction
 - Remediation of contaminated sediment 'hot spots'
 - Monitoring
 - *Compliance determination through State Water Board SQOs*

Use of Model in TMDL

- Provided linkage analysis
- Provided sediment deposition information to distribute allocations
- Important working tool for implementation

LOS ANGELES WATER BOARD

Noticed on December 17, 2010

Adopted on May 5, 2011

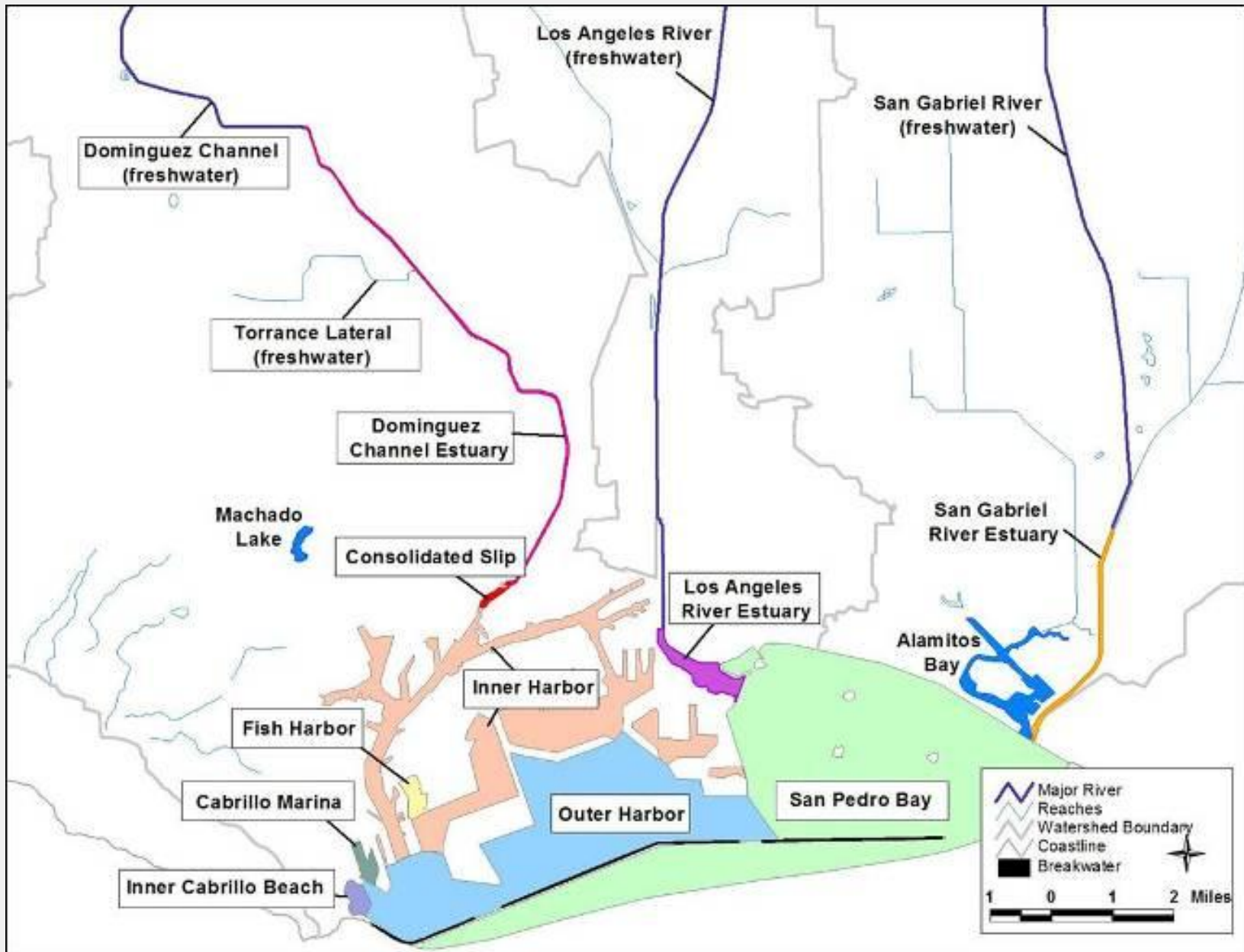
STATE WATER BOARD

PUBLIC COMMENT

Noticed on September 20, 2011

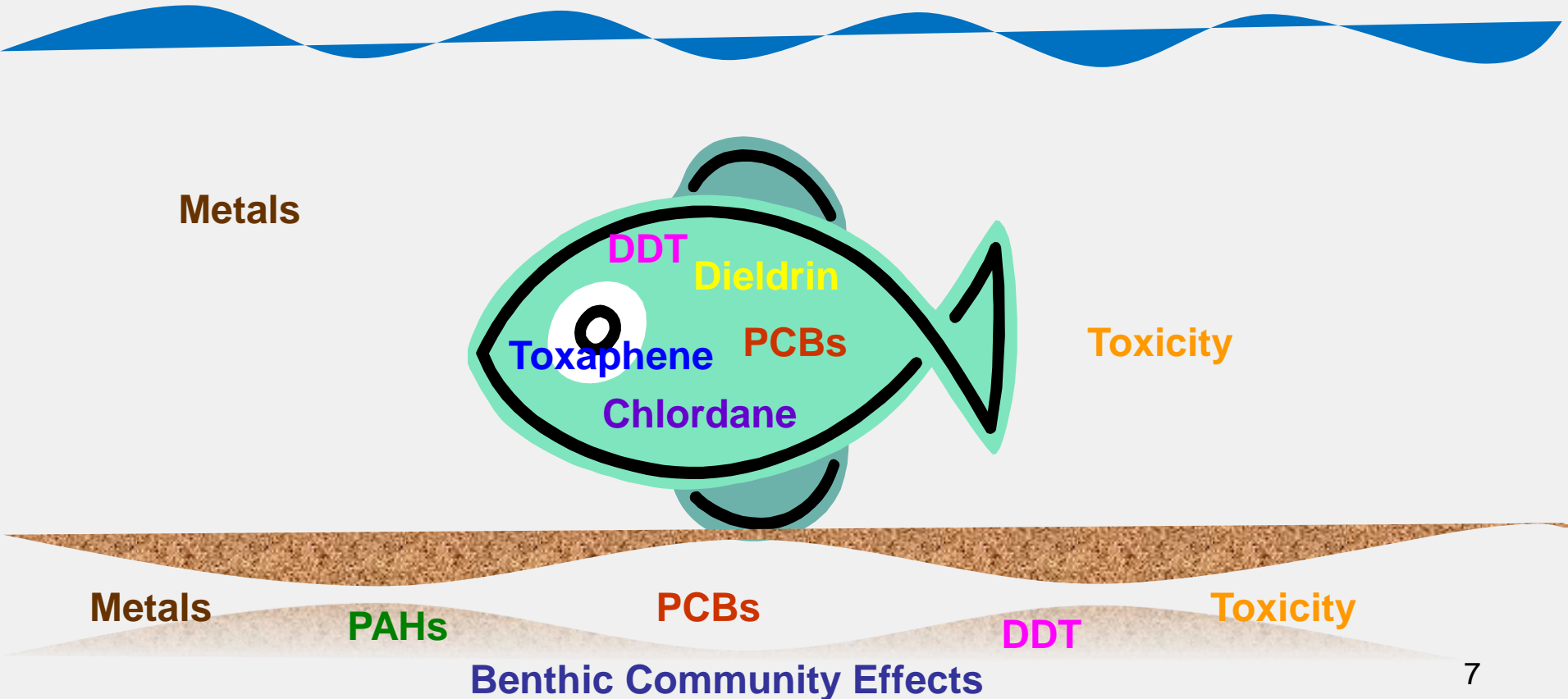
34 comment letters

Environmental Setting

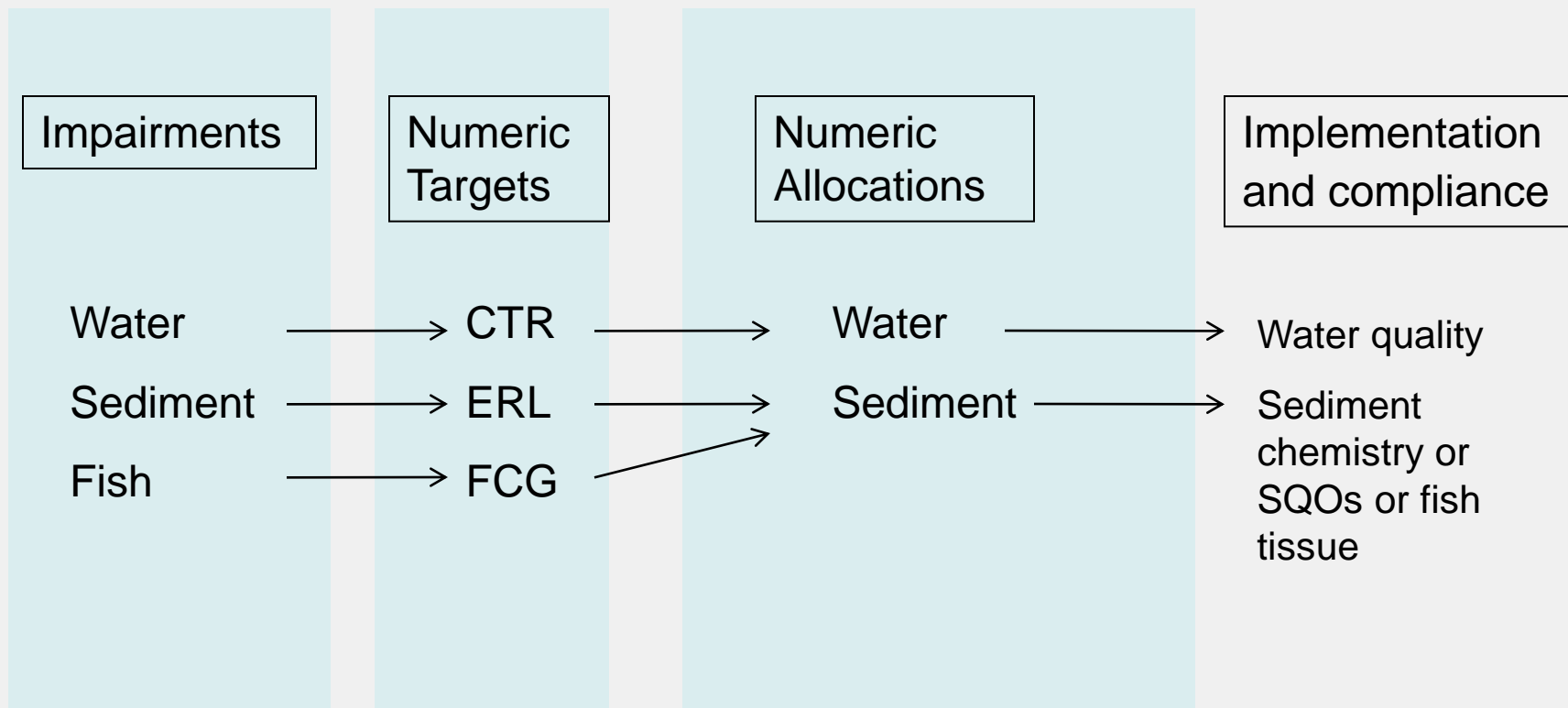


Impairments

- 77 303(d) listings
- 79 Assessed impairments



Targets



CTR – California Toxics Rule

ERL – Effects Range Low

FCG – Fish Contaminant Goal

Fish Tissue

- OEHHA:
 - Fish Contaminant Goals - FCG
- BSAF - biota-sediment accumulation factors
- California Enclosed Bays and Estuaries Plan – narrative objective

Responsible Parties

Key Parties

- 21 Cities and Caltrans
 - Port of Los Angeles
 - Port of Long Beach
- Terminal Island Water Reclamation Plant
- 2 Generating Stations
- 5 Refineries

Waterbody Groups

- Dominguez Channel
 - estuary subgroup
- Harbor Waters
 - LA River estuary subgroup
 - Consolidated Slip subgroup
- LA and SG Rivers

Implementation

- **Phased approach, 20 years**
- **Pollutant load reduction**
 - BMPs
 - Watershed groups
- **Sediment remediation in ‘hot spots’**
 - Sediment management plan (within 2 yr. to identify / prioritize ‘hot spots’)
 - Monitoring
 - City of LA (POLA), City of Long Beach (POLB), State Lands Commission, Dominguez Channel estuary subgroup, LA River estuary subgroup
- **Monitoring**
 - LA/San Gabriel River watershed inputs
 - Special Studies e.g. Aerial deposition
- **Reconsideration (year 6)**

Recommendation

- Approve the TMDL as proposed.



Superfund Issues

Comments on TMDL and
Montrose Consent Decree

Natural Resource Damages Under Montrose Consent Decree

- Payment of \$23 million to “trustees” (NOAA, DOI, DFG, Parks)
- Federal/state agencies provided covenant not to sue for “natural resource damages”, and limited to Montrose site
- Natural resource damages cover compensatory damages, not TMDL under CWA to address ongoing discharges of pollutants
- No covenant not to sue under Clean Water Act or Porter-Cologne Act

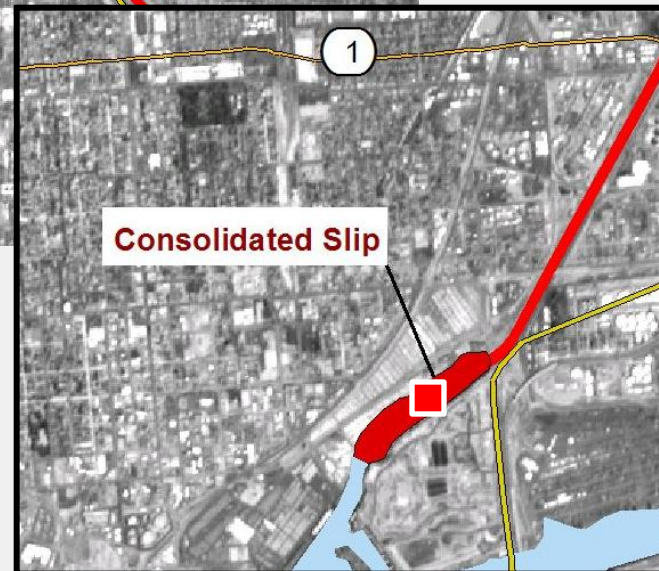
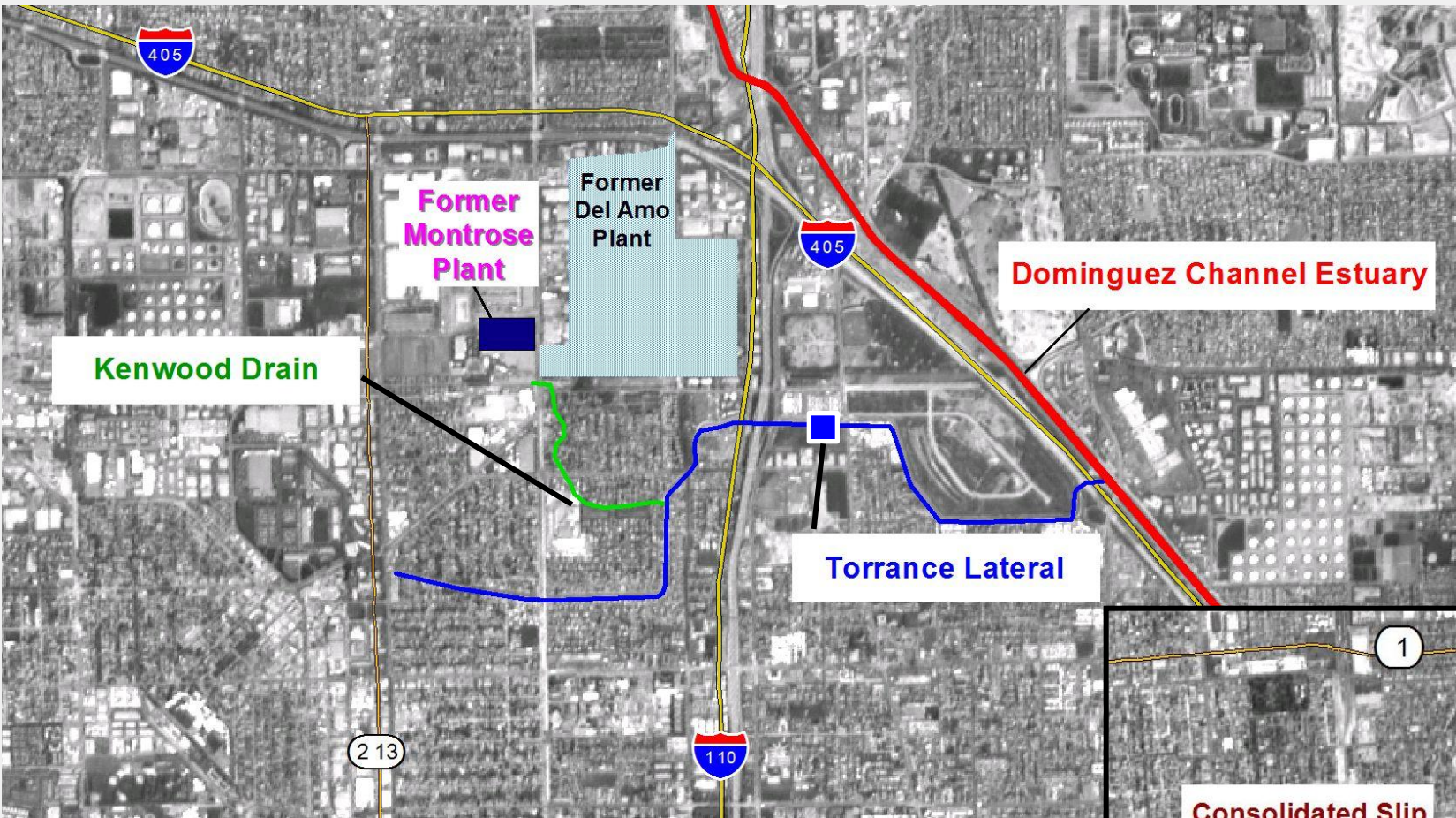
Response Costs Under Montrose Consent Decree

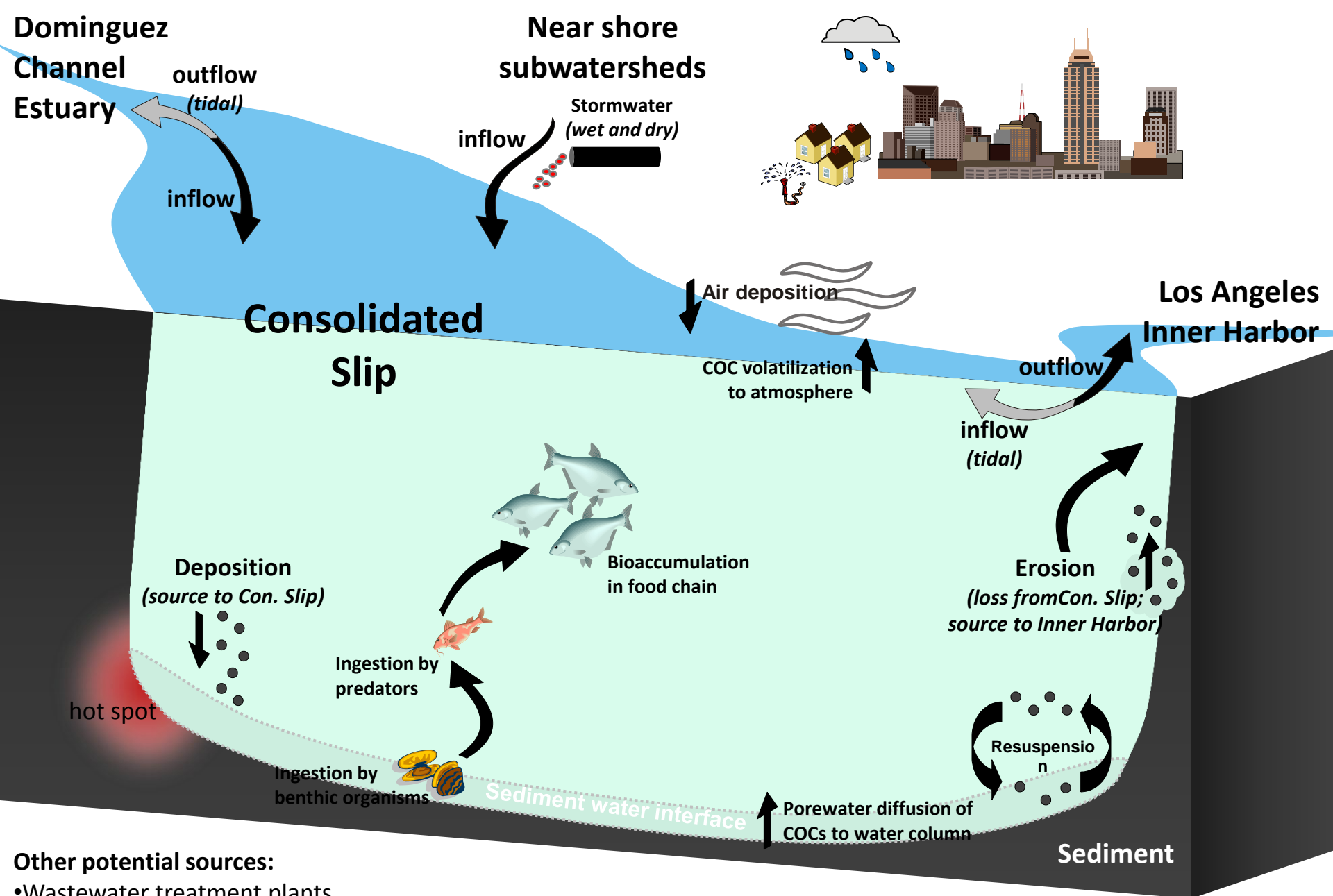
- EPA/Water Board/DTSC provided covenant not to sue for “Response Costs”
- Settling parties paid \$22 million in response costs to EPA/DTSC (none to Water Board)
- Addresses costs related to “Montrose Site” (facility to consolidated slip), not any other sites
- Only addresses claims related to DDT from Montrose facility, not other pollutants
- No covenant not to sue under Clean Water Act and Porter-Cologne Act

Clean Water Act Responsibility

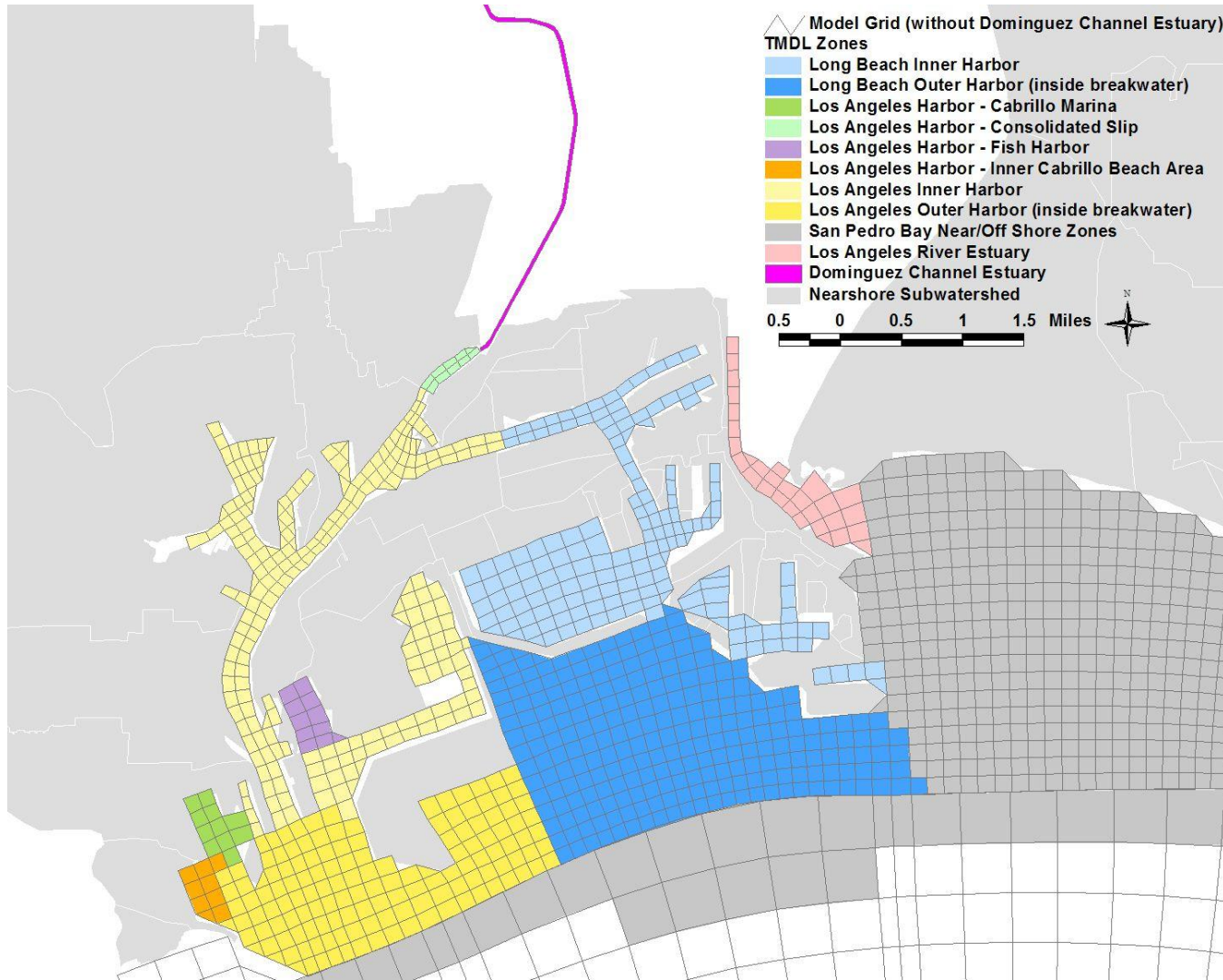
- Entities must comply with Clean Water Act (e.g., NPDES permits and TMDL waste load allocations and load allocations)
- TMDL addresses 15 pollutants in sediment in consolidated slip, not just DDT and PCBs
- Other metals at Consolidated Slip, not just DDT/PCBs
- TMDL parties responsible for all constituents, not just DDT/PCBs
- When remove sediment for other pollutants, will also remove DDT/PCBs
- MS4 entities must comply with NPDES MS4 permit

Superfund





Greater Harbors Waterbodies



Receiving water model (EFDC)

- Topography, bathymetry, open ocean boundary
- Meteorological conditions
- Freshwater inflows
- Tidal motion and currents
- Initial conditions - water column and bed sediment
- Sediment physical parameters: porosity, particle sizes, shear stress, settling rate,
- Sediment chemical diffusion rates, partitioning coefficients
- *Direct deposition to water surface*